

MESSAGE NO: 3104111 MESSAGE DATE: 04/14/1993

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-401

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1990 TO 05/31/1991

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS ON RED RASPBERRIES FROM CANADA SOLD BY
B.C. BLUEBERRY, CLEARBROOK PACKERS, MUKHTIAR AND SONS, MARCO ESTATES,
LANDGROW, AND VALLEY BERRIES

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CASES: A - 122 - 401

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PERIOD COVERED: 06 01 1990 TO 05 31 1991

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS ON RED RASPBERRIES FROM CANADA
SOLD BY B.C. BLUEBERRY, CLEARBROOK PACKERS, MUKHTIAR
AND SONS, MARCO ESTATES, LANDGROW, AND VALLEY BERRIES

1. THE DEPARTMENT OF COMMERCE HAS COMPLETED ITS ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY ORDER ON RED RASPBERRIES FROM
CANADA (A-122-401) FOR THE JUNE 1, 1990 THROUGH MAY 31, 1991
PERIOD AND PUBLISHED THE FINAL RESULTS IN THE FEDERAL
REGISTER ON NOVEMBER 3, 1992 (57 FR 49686).

2. ACCORDINGLY, ALL SHIPMENTS OF RED RASPBERRIES FROM CANADA
SOLD BY B.C. BLUEBERRY (A-122-401-010), CLEARBROOK PACKERS

(A-122-401-005), OR MUKHTIAR AND SONS (A-122-401-002), WHICH ENTERED DURING THE PERIOD JUNE 1, 1990 THROUGH MAY 31, 1991 SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES. YOU MAY APPRAISE THESE SHIPMENTS AND LIQUIDATE THE APPLICABLE ENTRIES BY STAMPING EACH INVOICE WITH THE WORDING "NO DUMPING DUTIES DUE." ALL SHIPMENTS OF RED RASPBERRIES FROM CANADA SOLD BY MARCO ESTATES (A-122-401-006), LANDGROW (A-122-401-015) AND VALLEY BERRIES (A-122-401-012), ENTERED DURING THE PERIOD JUNE 1, 1990 THROUGH MAY 31, 1991 SHOULD BE LIQUIDATED AND ANTIDUMPING DUTIES ASSESSED AT THE RATE OF 22.76 PERCENT OF THE ENTERED OR APPRAISED VALUE, WHICHEVER IS HIGHER.

3. IN ACCORDANCE WITH C.I.E. N-15/18 DATED APRIL 21, 1988, REPORT TO CUSTOMS SERVICE HEADQUARTERS ANY DUMPING DUTIES DUE. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE IS SUBJECT TO THE PROVISION OF SECTION 778 OF THE TARIFF ACT, WHICH REQUIRES INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED DUMPING DUTIES. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.
4. IMMEDIATELY FORWARD TO CUSTOMS SERVICE HEADQUARTERS ANY INFORMATION ON FILE WHICH MIGHT AFFECT THE APPRAISED VALUES UNDER THE ANTIDUMPING PROVISIONS, WITH AN EXPLANATION OF THE CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED. IN SUCH A CASE, SUSPEND LIQUIDATION OF AFFECTED ENTRIES UNTIL A DECISION IS MADE CONCERNING THE APPLICABILITY OF THE ADDITIONAL INFORMATION.
5. WHENEVER THE USE OF THE ATTACHED INFORMATION RESULTS IN THE ASSESSMENT OF ANTIDUMPING DUTIES, REQUIRE OF THE IMPORTER, PRIOR TO LIQUIDATION, THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE REGULATIONS. IMPORTERS WERE ADVISED OF THIS REQUIREMENT WHEN THE FINAL RESULTS OF

THE ADMINISTRATIVE REVIEW WERE PUBLISHED IN THE FEDERAL REGISTER. COMMERCE HAS AUTHORIZED CUSTOMS TO DOUBLE THE ANTIDUMPING DUTIES IF THE IMPORTER FAILS TO PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION.

6. YOU MAY RELEASE APPRAISED VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.
7. EFFECTIVE AS OF THE DATE OF ISSUANCE OF THIS MASTER LIST, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THESE INSTRUCTIONS FOR DUMPING PURPOSES AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY.
8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH BY E-MAIL TO ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, DEPARTMENT OF COMMERCE (202) 482-2786.
9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party